

# SENATOR CHUCK GROSS

State Senator - 23<sup>rd</sup> District

## 2005 Legislative Summary

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Dear Friends:

The Missouri General Assembly adjourned on May 13 having completed a highly productive and successful session, passing a balanced budget based on actual revenues and without imposing a state tax increase on Missourians. The session focused largely on the state's responsibilities to taxpayers, securing services for the most vulnerable, and providing more funding for public schools.

This report will address the outcome of major issues considered by the General Assembly. If you have questions or need additional information, please don't hesitate to contact my office.



### ★ **SCHOOL FUNDING** - Senate Bill 287

The General Assembly succeeded in passing a new foundation formula to replace the state's outdated method of distributing state funds to public schools. We moved away from a local effort driven formula to a plan based on student need with more funds for schools in higher cost areas, including St. Charles County. The new formula sends at least \$800 million more to public schools, phased in over seven years beginning with the 2006-07 school year.

For the coming year, an additional \$113 million was added to basic state aid to public schools. Increased funding was also provided for Parents as Teachers, the school lunch program, and special education, and A+ funding was maintained.

*Senator Gross voted yes.*

### ★ **LEGAL PROTECTIONS & JOBS** - House Bill 393 and Senate Bills 1, 343, 202 & 217

**Civil Litigation:** Reforms support fairness in the courts for all parties involved in disputes and secure access to quality health care. Lawsuits must be filed where injuries occur, and in cases with multiple defendants, a party must be more than 51 percent responsible to be liable for an entire damage award. Victims of medical malpractice are limited to \$350,000 for non-economic damages, with no limit for compensatory damages to cover actual economic costs.

**Workers' compensation:** Claims are limited to injuries where work is the prevailing factor. Equitable punishments now exist for employers and employees alike who would cheat the system.

**Quality Jobs Act:** New incentives allowed for businesses that expand or relocate in Missouri provided they create a required number of new jobs that pay average or better wages and cover at least 50 percent of the cost of employee health insurance.

**Retirement Accountability:** Sen. Gross's measure passed ending state retirement deals that in the past had gone to some political appointees who had not earned the benefit.

*Senator Gross voted yes.*

### ★ **LOCAL GAMBLING REVENUES** - Senate Bill 272

Sen. Gross sponsored and passed legislation providing direct benefits from the riverboat casino to city taxpayers. Beginning in 2008, St. Charles must return to city taxpayers each year, in the form of reduced general property tax rates, any admission fee revenues exceeding what the city received in 2007. Also, by 2015 at least 80 percent of the city's retained admission fee revenues must be used for capital expenditures.

These provisions do not apply to other revenues received by St. Charles city from the riverboat operations, and the property tax rate reduction does not affect the city's debt levy or dedicated parks tax.

*Senator Gross voted yes.*

★ **SOCIAL WELFARE** - Senate Bills 539, 500, & 74

**Medicaid:** A Medicaid Reform Commission will develop a new state system to replace the current program by 2008. Missouri's Medicaid program is structurally unsound, largely failing those for whom it was originally established, and unable to be financially sustained.

With yearly Medicaid costs rising faster than total state revenues, immediate changes were necessary to secure the program. Abuse and fraud were addressed and recent program expansions scaled back, shrinking state population enrollment in Medicaid from 20 to 16 percent. Even with these changes, Missouri will spend at least \$35 million more on Medicaid in the coming year, a total of \$5.511 billion for 900,000 enrollees.

For some enrollees, optional services were reduced and cost sharing measures implemented. Coverage for able-bodied adults, those not elderly and not disabled, was limited to only the extreme poverty-stricken with the exception of one-year coverage when moving from welfare to work. No services were reduced for children, pregnant women and the blind. The state's generous Medicaid program for children remains.

**Children:** The First Steps program was preserved by instituting cost-sharing measures and requiring insurance participation. State adoption subsidies remain for lower-income families, with federal subsidies unchanged. The child assessment centers were funded and residential foster care reimbursements increased. Mercury-free immunizations were required to protect children from potentially harmful side-effects.

**Elderly/Disabled:** The personal care assistance program is now under the Dept. of Health and Senior Services, and provisions were made for qualified disabled persons not eligible for Medicaid to participate. In the state budget, funding was maintained for mental health and developmental disabilities services, to keep Bellefontaine Habilitation Center open an additional year, to continue meals for homebound seniors, and provide rate increases for in-home care workers.

*Senator Gross voted yes.*

★ **STATE BUDGET**

For the first time in three years, a state budget was passed without relying upon one-time money sources. The state workforce was reduced by more than 1,000 positions and various efficiencies enacted, including the closure of two small prisons, consolidating programs, further reducing administrative budgets and using better cost estimates.

Savings in the budget helped maintain funding for higher education, provide increases for alternate fuels/ethanol subsidies, fund the Jobs Retention Training Program and the highway patrol pay plan. Increased funds were set aside for second injury fund payments for injured workers, to cover higher costs of operating Veterans' homes, and for victims of crime.

In keeping with the voters' directive against diverting transportation funds, an additional \$12.8 million was made available for new construction and almost \$45 million more for maintenance projects.

**How Your Tax Dollars Were Spent**  
**\$19.2 Billion Operating Budget**

Social Services	\$5.964 billion	31.06%
Public Education	\$4.844 billion	25.23%
Higher Education	\$1.048 billion	5.46%
Health / Mental Health	\$1.805 billion	9.40%
Transportation	\$1.725 billion	8.98%
Courts, Corrections, Safety	\$1.148 billion	5.98%
State employee benefits	\$ 764 million	3.98%
Agriculture, Conservation, Natural Resources	\$ 502 million	2.62%
Economic Development, Depts. Labor & Insurance	\$ 457 million	2.38%
All other state agencies	\$ 837 million	4.36%
Public Debt	\$ 106 million	0.55%

*Senator Gross voted yes.*

★ **PRO-LIFE MEASURES STALLED**

Changes made to Senate Bill 2 in the House required that the bill be returned to the Senate on the last legislative day. In the session's final hours, work on other bills contributed to Senate Bill 2's demise.

The Senate had consolidated several measures into Senate Bill 2, including tax credits for contributions to pregnancy resource centers; Senator Gross's provisions to keep abortion providers from offering sex education to public school students and requiring certain information in abortion reports; that licensed physicians performing abortions have clinical privileges at a nearby hospital; and establishing civil liability for helping a minor get an abortion out-of-state without proper consent.

Governor Blunt indicated that he will call a special session in conjunction with the veto session this fall to take up these issues.

*Senator Gross voted yes on initial bill.*

**Human Cloning:** Senate Bill 160 to prohibit human cloning did not clear the Senate after lengthy floor debate failed to bring the bill to a vote. Of particular controversy is somatic stem cell research and its relationship to human cloning.

*No Senate vote.*

★ **DRINKING & DRIVING** - Senate Bills 37 & 402

**DWI/Underage Drinking:** Charges of aggravated vehicular manslaughter will apply for causing any person's death when driving drunk, punishable by up to 30 years or life in prison.

Adults are prohibited from allowing underage drinking parties at their homes; and minors guilty of possession, visibly intoxicated or over .02 blood alcohol level, will lose driving privileges.

*Senator Gross voted yes.*

★ **SUPPORT MILITARY FAMILIES** - House Bill 437

Missouri taxpayers can contribute to a new Missouri Military Family Relief Fund when filing future state income returns. Grants will be made available to military families in need.

*Senator Gross voted yes.*

★ **UTILITIES** - House Bills 58 & 209, Senate Bills 179 & 237

**Water / Sewer Service to Renters:** Tenants are ultimately responsible for their water and sewer bills, with landlords not liable to providers for more than 90 days of unpaid service. In St. Louis City and Kansas City, a landlord's liability for up to 120 days will be reduced to 90 days in 2007.

**Municipal Phone Taxes:** The existing local taxes on land-line phones were lowered by providing that a smaller tax apply to cell phones and land-line phones alike, broadening the overall tax base.

**Utility Relocation Act:** Provides for coordinated utility relocation along state highway projects, which is of high importance in St. Charles County to avoid delays in completing highway improvements. St. Charles city and county are allowed to make similar requirements on their local road projects.

**Electric Service:** Upon Public Service Commission approval, qualified electric utilities can more quickly adjust rates based on fuel prices, both up and down, for consumers. Safeguards, including open accounting requirements, required reviews and periodic rate hearings, guarantee no undue costs to consumers. This bill supports ample electric generation and a more stable electric utility market to benefit all Missourians.

**Telecommunications:** Allows all types of phone and broadband service providers to compete on a more level playing field, allowing customers to more readily benefit from more choices, lower prices, and new services. This bill supports the expansion of new technology services to more areas of the state.

*Senator Gross voted yes.*

## PROGRAM UPDATES

### Trusts Allowed under Homestead Preservation Act

Under legislation passed by Senator Gross, a trust now qualifies for the credit if the home was previously titled in the name of the settler (or maker) of the trust who currently resides in the home. The individual must have qualified for the credit but for the transfer of the home into the trust, and the individual's federal adjusted gross income together with income of the trust, if any, must not exceed the eligibility limit.

Eligible seniors and disabled homeowners have until September 30th deadline to apply for a credit for excessive increases in 2005 property taxes on their home. More information and the application form are available online at [www.dor.mo.gov](http://www.dor.mo.gov). Forms are also available at the local assessor's office or by calling 1-800-877-6881.

For future years, the credit calculation period will be moved back one additional year, eliminating the need for the local assessor to complete part of the application. Applications in 2005 are based on property tax increases from 2004 to 2005. Applications in 2007 will be based on property tax increases from 2005 to 2006.

*Senator Gross voted yes.*

### Vehicle Emissions Testing Continues

Without support in Congress, it is unlikely that Missouri can free itself entirely of the Environmental Protection Agency regulations pushing this program and upheld by federal courts. The state's contract with the testing provider ends in 2007, giving legislators another year to find a way to reduce unnecessary burdens on citizens and still avoid EPA sanctions.

*No Senate vote taken.*

### WWII and Korean War Medals Remain Available - House Bill 163

Legislation sponsored by Sen. Gross and Rep. Joe Smith provides that applications will now be accepted as long as the current medal supply lasts. Veterans must currently be or have been a resident of Missouri at the time of entering or being discharged from the military, or at the time of death. For more information call toll free 1-866-834-3431 or visit [www.moguard.com](http://www.moguard.com).

*Senator Gross voted yes.*

## AREA RESIDENTS RECEIVING STATE APPOINTMENTS

- ★ **Julie Eckstein**, Director, Department of Health and Senior Services
- ★ **Dale Finke**, Director, Department of Insurance
- ★ **Thomas Hannegan**, Citizens Advisory Committee on Corrections
- ★ **John Hanneke**, Credit Union Commission
- ★ **Randa Hayes**, Director, Missouri Division of Business Development & Trade
- ★ **Kevin Kast**, St. Charles Convention & Sports Facilities Authority
- ★ **Thomas Kuypers**, Advisory Council on Historic Preservation
- ★ **Roger Pryor**, St. Charles Convention & Sports Facilities Authority
- ★ **Tom Wapelhorst**, St. Charles Convention & Sports Facilities Authority
- ★ **Robert Wylie**, Missouri Fire Safety Advisory Board

### Do You Have Unclaimed Property Held by the State?

One of every 10 Missourians has assets being held by the state's Unclaimed Property Division. Make a quick check online at [www.showmemoney.com](http://www.showmemoney.com), or write to Treasurer Sarah Steelman, Unclaimed Property Division, P.O. Box 1004, Jefferson City, MO 65102, providing your name with current and previous addresses. Unclaimed assets include cash from bank accounts, stocks, bonds, and contents of abandoned safe deposit boxes, uncollected insurance proceeds, refunds, utility deposits and wages from past jobs.